

AUG 06 2008

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

WILLIAM JOHN DIEHL,

Defendant - Appellant.

No. 07-30101

D.C. No. CR-05-05238-RBL

MEMORANDUM<sup>\*</sup>

Appeal from the United States District Court  
for the Western District of Washington  
Ronald B. Leighton, District Judge, Presiding

Submitted July 22, 2008<sup>\*\*</sup>

Before: B. FLETCHER, THOMAS and WARDLAW, Circuit Judges.

William John Diehl appeals from the 120-month sentence imposed following his guilty-plea conviction for transportation of a minor with intent to engage in illicit sexual activity, in violation of 18 U.S.C. § 2423(a).

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<sup>\*</sup> This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Diehl's counsel has filed a brief stating there are no grounds for relief, along with a motion to withdraw as counsel of record. Diehl has filed a pro se supplemental brief. No answering brief has been filed.

Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80-81 (1988), discloses no arguable grounds for relief on direct appeal.

We decline to review Diehl's ineffective assistance of counsel claims because such claims are generally inappropriate on direct appeal. *See United States v. McKenna*, 327 F.3d 830, 845 (9th Cir. 2003)

Accordingly, counsel's motion to withdraw is **GRANTED**, and the district court's judgment is **AFFIRMED**.